



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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November 23, 1993

Mr. Gerald W. Berry
Tetla Septarians
195 South Center
Orderville, Utah 84758

Re: Transfer of Mining Operations, Tetla Septarians Mine, S/025/006, Kane County, Utah

Dear Mr. Berry;

It has recently come to the Division's attention that the Tetla Septarian Mine is no longer operated by you. As a result, it will be necessary to transfer responsibility of the site to the new operator and reclaim those areas that are no longer needed for mining.

The Division conducted an inspection of the site on October 28, 1993. The inspection was conducted with Mr. Mark Johnson, who has indicated to us, that he is the new operator of the site. The Division will require that responsibility for the site be officially transferred to Mr. Johnson. This can be accomplished by either submitting a transfer document (see enclosed from MR-TRS), or the submittal of a new Notice of Intention (see enclosed form MR-SMO).

If you choose the transfer form, then all responsibilities currently associated with the Tetla site will be transferred to the new operator. If the new operator chooses the NOI approach some of the responsibilities will be assumed by the new operator and the rest will have to be reclaimed by the old operator.

I observed during my inspection of the site, that the total acreage of disturbance is greater than 5 acres. This means that unless enough acreage can be reclaimed to bring the total acreage of disturbance down to 5 acres or less, the Division will require a bond and a detailed mining and reclamation plan, for the site. We have suggested to Mr. Johnson that he work out, with you, the details for the reclamation of the unused or spent portions of the disturbed area, to reduce the amount of disturbed acreage.



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I have agreed, with Mr. Johnson, to establish an approximate date of late Spring of 94, to accomplish the reclamation of the unused portions of the site. I would like to come down to the area sometime during this time period and work out the reclamation details with you or Mr. Johnson.

The Division did send you a copy of our last inspection report, which details out the areas I am including under the Tetla Septarian mine notice. The majority of the site falls on State Land. However, a small portion falls on federal land. This is one of the areas which needs to be reclaimed. We also indicated in the letter that some hydrologic controls need to be developed on the site, to prevent excess sediment loading of Mud Creek. The details of these controls can be worked on later.

Please let me know what you plan to do regarding the decision to transfer the site or go with a new notice, and the reclamation of unused portions of the site. Please contact me directly with further questions.

Sincerely



Holland Shepherd
Senior Reclamation Specialist

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Enclosures

cc: Mark Johnson, new operator
Rod Schipper, BLM
Jerry Mansfield, State Lands
Wayne Hedberg, DOGM
Travis Jones, DOGM

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